

# **Exhibit E**

In Re: Bard IVC Filters Products Liability

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS CASE NO.  
PRODUCTS LIABILITY LITIGATION MD-15-02641-PHX-DGC

VIDEOTAPED DEPOSITION OF ROBERT M. McMEEKING, Ph.D.

THURSDAY, JULY 6, 2017

REPORTED BY: MONICA T. CORLEY, CSR NO. 8803

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1 THE WITNESS: I've -- I've not  
2 investigated that aspect of the situation, and as I  
3 said before, I defer to Dr. Richie in regard to  
4 electropolishing wires.

5 BY MS. DALY:

6 Q Are there any other changes that you think  
7 Bard later made to its filters that it could have  
8 made earlier --

9 A Yes.

10 Q -- to -- to impact resistance to  
11 complications?

12 A Yes.

13 Q All right. And what are those?

14 A They could have developed caudal anchors  
15 sooner than they ultimately did. They could have  
16 developed penetration limiters sooner than they  
17 ultimately did. And they could have redesigned the  
18 filter configuration to try and find a better -- a  
19 better combination of -- of -- of phenomena that  
20 would improve the behavior of the filter in terms  
21 of the risks involved.

22 Q All right. So let's talk about caudal  
23 anchors and limiters. On what do you base your  
24 opinion that Bard could have added caudal anchors  
25 and limiters earlier than it did?

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1           A       Well, the -- the reason is that they  
2       eventually did put caudal anchors on the filters,  
3       and so my point is simply that they could have  
4       started to consider that possibility sooner than  
5       they -- they did, once they realized that caudal  
6       migration was contributing to tilt and tilt was  
7       contributing to other failures that the filter was  
8       experiencing.

9           Q       Okay. Do you know of any other IVC filter  
10      manufacturer who incorporated anchors or limiters  
11      earlier than Bard did?

12               MR. O'CONNOR: Form and foundation.

13               THE WITNESS: Not to my knowledge.

14      BY MS. DALY:

15           Q       Okay. Do you know any -- do you know in  
16      any in-depth way what the process was internally in  
17      Bard to develop these anchors and limiters?

18               MR. O'CONNOR: Form.

19               THE WITNESS: I've read some of the  
20      documents that describe activities that were  
21      involved, but I -- I wouldn't say that I know in  
22      detail what the processes were that were involved  
23      in developing those caudal anchors.

24      BY MS. DALY:

25           Q       Do you know -- do you know of design